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REMARKS

Claims 1, 3-5, 7-22, and 24-27 are currently pending. Claim 6 has been cancelled. Claims 1, 7, 12, 22, and 27 have been amended to include the subject matter of cancelled claim 6. Applicant believes that it is not necessary to incorporate the subject matter of any intervening claims as claim 6 does not recite the subject matter of these claims. It is respectfully submitted that no new matter has been added. Because claim 6's subject matter was considered in an earlier office action, it is respectfully submitted that the incorporation of claim 6 subject matter into the independent claims does not raise new issues or require further search and/or consideration.

The Patent Office has rejected claims **1, 3-8, 13-22, and 27** as obvious in view of combination of US 2002/0062547 (Chiodo et al), US 6,876,543 (Mockridge et al), and U.S. Published Patent Application No. 2004/0074069 (Browne). The Patent Office has rejected claims **9-10 and 24-25** as obvious in view of combination of US 2002/0062547 (Chiodo et al), US 6,876,543 (Mockridge et al), and U.S. Published Patent Application No. 2004/0074069 (Browne), and further in view of Staniszewski (US 2004/0075581). The Patent Office has rejected claims **11 and 26** as obvious in view of combination of US 2002/0062547 (Chiodo et al), US 6,876,543 (Mockridge et al), U.S. Published Patent Application No. 2004/0074069 (Browne), and Staniszewski (US 2004/0075581) and further in view of JP 11039053 (Matsunaga). The Patent Office has rejected claim **12** as obvious in view of combination of US 2002/0062547 (Chiodo et al), US 6,876,543 (Mockridge et al), and further in view of JP 11039053 (Matsunaga).

From the Final Office Action dated September 8, 2006, the Patent Office does not appear to have been persuaded by the arguments Applicant filed in response to the previous office action and now alleges that claim 1 is obvious in view of Chiodo, Mockridge and Browne. Additionally, the Patent Office has maintained its previous objections to the dependent claims and now also alleges that claim 12 is obvious in view of Chiodo, Mockridge and Matsunaga.

On page 7 of the Final Office Action, the Patent Office alleges that Browne teaches the subject matter of claim 6 in paragraph [0017]. Browne teaches the use of a polymer film 16 that is electrolytically activatable by the application of a voltage. As mentioned in paragraphs 17 and 19, the polymer film 16 expands when a voltage is applied thereto due to the migration of ions

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from the electrolyte into the polymer film 16. The polymer film 16 contracts when a reverse voltage is applied thereto due to the migration of ions from the polymer film 16 to the electrolyte.

However, Browne does not disclose or suggest that the polymer film is “bistable, such that voltage may be applied to it to alter it between its first and second configurations, but application of voltage is not necessary to maintain it in either its first or its second configuration” as recited in the combination of claims 1 and 6. Browne only discloses that the polymer film 16 changes shape when a voltage is applied thereto, it does not disclose that the polymer film maintains its shape when the voltage is removed. Since non-bistable polymer actuators behave in the same way as the polymer film 16 disclosed in Browne, Browne does not disclose or suggest bistable polymer actuators.

Since none of the cited prior art documents disclose or suggest using a bi-stable polymer actuator as defined in amended claim 1, it is not possible to combine these documents to fall within the scope of the combination of claims 1 and 6. Thus, amended claim 1 is not obvious when viewed in the light of Chiodo, Mockridge and Browne. Similar reasoning holds for the patentability of claims 12, 22 and 27.

The Patent Office is respectfully requested to reconsider and remove the rejections of the claims 1, 3-5, 7-22, and 24-27 under 35 U.S.C. 103(a) based on Chiodo in view of Mockridge and Browne, with or without Staniszewski and/or Matsunaga, and to allow all of the pending claims 1, 3-5, 7-22, and 24-27 as now presented for examination. An early notification of the allowability of claims 1, 3-5, 7-22, and 24-27 is earnestly solicited.

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Respectfully submitted:

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. BOX 1450, Alexandria, VA 22313-1450.

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